

REMARKS

Claims 1-73 are pending in the application. Claims 36, 37, 39, 40, and 49-73 have been withdrawn from the Examiner's consideration. Claims 1-35, 38, and 41-48 have been examined and stand rejected. Claims 36, 37, 39, 40, and 56-73 have been canceled without abandonment of the invention in the canceled claims and without prejudice to any application for patent directed to the subject matter of the canceled claims that may be filed in the future. Reconsideration and allowance of Claims 1-35, 38, and 41-55 in view of the following remarks is respectfully requested.

Information Disclosure Statement

An Information Disclosure Statement was filed April 25, 2001. The Examiner's action mailed May 9, 2002, did not include a copy of this Information Disclosure Statement with references initialed by the Examiner. Applicants request that the Examiner provide the initialed Information Disclosure Statement in the next communication from the Examiner.

Election/Restriction

The Examiner has required restriction of the originally filed claims, Claims 1-73: Group I, Claims 1-55 drawn to a composite; and Group II, Claims 56-73 drawn to a method for making the composite. Applicants hereby affirm the election of the invention of Group I, Claims 1-55 for examination. Claims 56-73 have been canceled.

The Examiner has required an election of species: composite as storage layer; composite as acquisition layer. Applicants hereby affirm the election of the species, composite as storage layer, for examination. Claims 1-35, 38, and 41-48 read on the elected invention. Applicants believe that, although Claims 49-55 have been withdrawn from consideration, Claims 49-55 should be allowed once Claims 1-35, 38, and 41-48 are allowed. Applicants respectfully request

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that the Examiner consider and allow Claims 49-55 after finding Claims 1-35, 38, and 41-48 allowable.

Drawings

The Examiner notes that photographs are not ordinarily permitted in utility patent applications and that the Office will accept photographs only after granting of petition. The Examiner appears not to be requiring that applicants petition requesting that the photographs be accepted.

Applicants refer to 37 C.F.R. § 1.84(b), which states that the Office will accept photographs in utility applications if photographs are the only practicable medium for illustrating the claimed invention. Applicants submit that FIGURES 2-9, which are photomicrographs of cross sections of composites showing the relation between the composites' components, are illustrative of such composites. Acceptance of the photomicrographs, FIGURES 2-9, is respectfully requested.

The Objection to the Drawings Under 37 C.F.R. 1.83(a)

The Examiner has objected to the drawings for failing to show every feature of the invention specified in the claims. Specifically, the Examiner has objected to the drawings as failing to show certain features: (1) "the bands are continuous along the composite's length in the machine direction", as recited in Claim 2; and (2) "the bands are substantially parallel", as recited in Claim 3.

Applicants refer the Examiner to FIGURE 31, which illustrates a representative composite of the invention 300 having fibrous bands 320 in base matrix 310. See also page 26, lines 6-12 of the specification. FIGURE 31 illustrates bands that are continuous along the composite's length and bands that are substantially parallel. Regarding the "machine direction" recitation in Claim 2, at page 25, line 37 through page 26, line 1, the specification as originally

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filed states that "bands extend along the machine direction of the composite". At page 28, lines 1-7, the specification describes methods for making the composite having fibrous bands. This description along with the description at page 21, line 14 through page 25, line 33 and FIGURES 22-25, which illustrate devices and methods for making the composite having fibrous bands, make clear that composite 300 illustrated in FIGURE 31 has bands that are continuous along the composite's length in the machine direction, as recited in Claim 2; and bands that are substantially parallel, as recited in Claim 3.

In view of the foregoing, applicants do not believe that correction of FIGURE 31 is required. If applicants' attorney has misunderstood the Examiner's objections to the drawings, applicants' attorney respectfully requests that the Examiner telephone to discuss the objections to the drawings.

The Rejection of Claims 1-35, 38, and 41-48 Under 35 U.S.C. § 112, First Paragraph

Claims 1-35, 38, and 41-48 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter not described in the specification in a way as to enable one to make and/or use the invention. Applicants respectfully disagree.

The Examiner states that the fibrous bands are described in the specification and claims as substantially free of absorbent material, and that the fibrous bands are described as in a fibrous base that does contain absorbent material. Applicants agree with these statements. The Examiner then states that it is unclear from the specification in combination with the drawings which area of the composite is the fibrous base as both areas 14/18 and 16 contain absorbent material. Also, the Examiner states that the drawings and description of FIGURE 1 do not depict fibrous bands in a fibrous base as claimed. Applicants offer the following remarks to clarify the specification and the claimed invention.

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Regarding reference numerals 14, 16, and 18, the reference numerals refer to features of a composite schematically illustrated in FIGURE 1: voids 14, absorbent material 18, and fibrous region 16. FIGURE 1 is a cross-sectional view of a portion of the composite. The cross section does show that portion of the composite that includes absorbent material. Regarding FIGURE 1 and the claimed invention, FIGURE 1 does not illustrate a portion of the composite having one or more fibrous bands that are substantially free of absorbent material in a fibrous base that includes absorbent material, as recited in Claim 1. However, FIGURE 31 does. As noted above, FIGURE 31 illustrates a representative composite of the invention 300 having fibrous bands 320 in base matrix 310.

The claimed composite, articles that include the composite, and methods for making the composite are described in detail in the specification as originally filed. See, for example, pages 25, line 34 through page 28, line 33. Applicants submit that the specification and drawings as originally filed describe and illustrate the claimed invention in a way as to enable one skilled in the art to make and use the invention. Withdrawal of this ground for rejection is respectfully requested.

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Conclusion

In view of the above amendments and foregoing remarks, applicants believe that Claims 1-35, 38, and 41-55 are in condition for allowance. If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encourage to telephone applicants' attorney at 206.695.1755.

Respectfully submitted,

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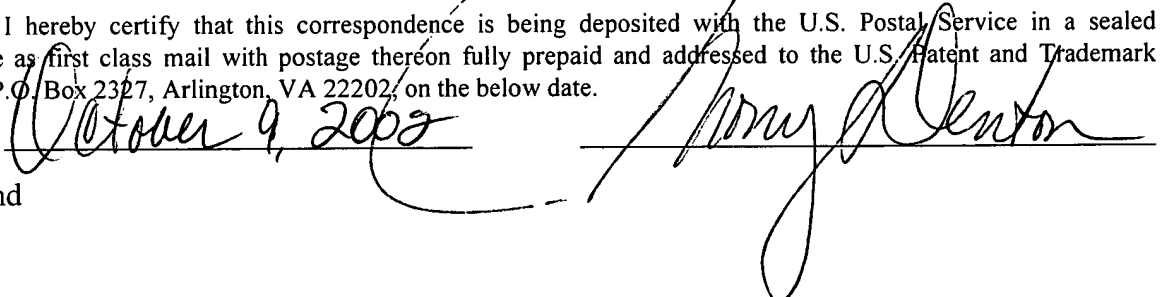


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VERSION WITH MARKINGS TO SHOW CHANGES MADE OCTOBER 9, 2002

In the Claims:

Claims 36, 37, 39, 40, and 56-73 have been canceled.

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